

REMARKS

This Application has been reviewed in light of the final Office Action mailed August 23, 2005. All pending Claims 1-45 were rejected in the final Office Action. For at least the reasons provided below, Applicants respectfully request reconsideration and allowance of all pending claims.

Section 102 Rejections

Claims 1, 6, 8-9, 11-12, 14-17, 22, 24-25, 27-28, 30-31, 36, 38-39, 41-42, and 44-45 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,381,321 issued to Brown et al. (“*Brown*”).¹

Claim 1 of the present Application recites the following:

A method for sharing distributed media resources, comprising:

determining at a first call manager that a telephony device controlled by the first call manager requires the use of a media resource device;

selecting an appropriate media resource device from a media resource group list associated with the telephony device; and

communicating an allocation request to a device process associated with the selected media resource device, the device process executing at a second call manager controlling the selected media resource device.

Independent Claims 15, 31, and 45 recite similar, although not identical, limitations.

Brown does not anticipate Claim 1 (or Claims 15, 31 and 45) at least because it does not disclose “communicating an allocation request to a device process associated with the selected media resource device, the device process executing at a second call manager controlling the selected media resource device.” In the main text of the rejection, the Examiner asserts that this limitation is disclosed at Column 9, lines 24-28 of *Brown*. This passage discloses that a connection management module of the telecommunication service system of *Brown* determines the most efficient path for connection between a telephone and

¹ The summary of this rejection on page 2 of the Office Action still indicates that Claims 2, 7, 13, 18, 23, 29, 32, 37 and 43 are also rejected as being anticipated by *Brown*; however, Applicants assume this summary to be in error since these claims are now rejected under 35 U.S.C. § 103.

the PSTN. This is not a disclosure of any device processes. It is also not a disclosure of a second call manager controlling a selected media resource device. Even if it is assumed for the sake of argument that the telecommunication service system (110) of *Brown* is a first call manager, there is certainly no disclosure of a second call manager controlling a selected media resource device, as recited in the claims of the present application. Furthermore, since there is no disclosure of a second call manager controlling a selected media resource device, there is also no disclosure of an allocation message communicated to a second call manager, and certainly no disclosure of communicating such a message to a device process executing at a second call manager.

Furthermore, in the “Response to Arguments” section of the Office Action, the Examiner asserts that *Brown* discloses multiple call managers as recited in Claim 1 because *Brown* discloses multiple management modules that interact with each other. Specifically, the Examiner asserts that the system manager module of the telecommunication service system is the recited first call manager and that the resource management module of the telecommunication service system is the recited second call manager. As is disclosed in *Brown*, all of the modules in the memory (210) of the telecommunication service system take part in the allocation of a telecommunication resource. To claim that one module is a manager of a device requesting a resource and another module is a manager of the requested resource is a strained and incorrect interpretation of reference, not to mention the claim term “call manager.”

There is no disclosure that the system manager module controls any telephony device that requests the use of a resource. The Examiner argues that the system manager module receives a request from a subscriber to set up a new call. In fact, there is no such disclosure. *Brown* makes it clear that the “request” is received by the telecommunication resource itself, and that the resource then communicates the request to the system manager module. (See Column 9, lines 7-15; Column 17, lines 18-23). As is made clear from Figure 2a of *Brown*, the telecommunication service system and its modules manage the telecommunication resources (220), not the telephony device (325) requesting the resources. There is no disclosure of a call manager that controls the requesting telephony device and that sends an allocation request to *another* call manager that controls the resource. Furthermore, the

Examiner's interpretation would require that the resource management module somehow control the resource apart from system manager module, which is clearly not the case.

Moreover, the Examiner has proposed no teachings of *Brown* that disclose communicating an allocation request to a *device process* of a second call manager. Even assuming for the sake of argument that the that resource management module is a second call manager, there is no disclosure of a device process associated with the selected media resource device to which the allocation request is communicated.

For at least these reasons, Applicants submit that *Brown* does not anticipate Claim 1. Furthermore, Claims 15, 31, and 45 include similar limitations and thus are also allowable for similar reasons. Therefore, Applicants respectfully request reconsideration and allowance of Claims 1, 15, 31, and 45.

In addition to their dependence on one of the allowable independent claims discussed above, Claims 14, 30, and 44 are also allowable because *Brown* does not disclose receiving a media resource group list associated with a telephony device *from the telephony device*. The passage cited by the Examiner discloses restricting access to particular applications to all of subsets of telephone sets. There is simply no disclosure of anything even related to the limitations of these claims. Furthermore, the Examiner does not address these argument in the Response to Arguments section of the Final Office Action. Therefore, Applicants respectfully request reconsideration and allowance of Claims 9, 25, and 39 for at this additional reason.

Section 103 Rejections

Claims 2, 18, and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Brown* in view of U.S. Patent No. 6,512,918 issued to Malomsoky. In addition, Claims 3-5, 19-21, and 33-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Brown* in view of U.S. Patent No. 5,757,781 issued to Gilman et al. Furthermore, Claims 10, 26, and 40 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Brown* in view of U.S. Patent No. 6,687,234 issued to Shaffer. Each of these claims depends from one of the

allowable independent claims discussed above. For at least this reason, Applicants respectfully request reconsideration and allowance of these claims.

The Office Action also rejects Claims 7, 23, and 37 under 35 U.S.C. §103(a) as being unpatentable over *Brown* in view of U.S. Patent No. 5,978,465 issued to Corduroy (“*Corduroy*”). Claims 7, 23, and 37 are allowable because, in addition to their dependence on one of the allowable independent claims discussed above, neither *Brown* nor *Corduroy* disclose accessing a mapping table to determine a process identification (PID) associated with a selected device name, the PID identifying a device process associated with the media resource device identified by the device name, or communicating the allocation request to the device process using the PID. The Examiner asserts that these limitations are disclosed at Column 7, lines 18-42 and Figure 5 of *Corduroy*. However, the table of Figure 5 and the associated description does not disclose any PIDs of device processes, much less PIDs of device processes that are associated with an identified resource device, as required by these claims. Furthermore, there is no disclosure of communicating any type of messages using a PID.

In the Response to Arguments section, the Examiner argues that Column 7, lines 43-51 discloses a table having “group process identification associated with resources” and goes on to assert that the “group process identifier discloses what group/process the resource is associated with any much more information.” Nothing in this passage (or elsewhere in *Corduroy*) discloses a PID identifying a device process associated with the media resource device. The Examiner seems to be arguing that the group to which a call center agent is assigned is somehow a device process associated with an identified resource device (with the group identifier being a PID). Applicants fail to see how an agent group has any relation to the claimed device process. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 7, 23, and 37.

Furthermore, Claims 13, 29, and 43 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Brown* in view of U.S. Patent No. 7,959,854 issued to Cave (“*Cave*”). Claims 13, 29, and 43 are allowable because, in addition to their dependence on one of the allowable independent claims discussed above, neither *Brown* nor *Cave* disclose receiving an

allocation response from a device process indicating that a selected media resource device is unavailable, selecting a second appropriate media resource device from a media resource group list, or communicating an allocation request to a second device process associated with the second media resource device. The Examiner asserts that these limitations are disclosed at Column 4, lines 30-52 of *Caves*. However, like *Brown*, *Caves* discloses a *single* resource manager that controls a number of resources (*see Col. 3, lines 54-68*). Therefore, there is no disclosure in *Caves* of any response from a device process associated with a *second* resource manager. Also, there is no disclosure of an allocation request to a second device process for similar reasons.

In the Response to Arguments section, the Examiner argues that *Caves* discloses at Column 4, lines 43-45 the rechecking of a list to determine if another resource is available. However, like in *Brown*, there is no disclosure of any device processes or the communication of allocation requests to and the receipt of allocation responses from such device processes. For at least these reasons, Applicants respectfully request reconsideration and allowance of Claims 13, 29, and 43.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

No fee is believed to be due. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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